

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.)
)
FREDERICK SIMONE) Cr. No. 03-10356-MLW

ORDER SETTING CONDITIONS OF RELEASE

WOLF, D.J. March 29, 2004

For the reasons described in the March 29, 2004 Memorandum and Order, the court has determined that there is a combination of conditions which will reasonably assure defendant Frederick Simone's appearance as required by this case, and the safety of other individuals and the community. Accordingly, he shall be released pending trial, when the prerequisites for his release described below have been satisfied, on the following conditions:

1. The defendant shall not commit any violation of federal, state, or local law while on release in this case.

2. The defendant shall appear at all proceedings in this case as required and shall surrender as directed to serve any sentence imposed by this Court.

3. The defendant shall reside at 22 Montrose Avenue, Wakefield, Massachusetts. He is restricted to his residence, subject to electronic monitoring; defendant shall enter into the Electronic Monitoring Conditions agreement attached hereto as Exhibit A. Defendant shall not leave his residence without the prior approval of the Pretrial Services Department of this Court.

In accordance with procedures to be established by Pretrial Services, authorization will be given for a reasonable number of visits to the offices of defendant's counsel, to attend medical appointments, for religious observances, and to work if his employment is approved by Pretrial Services. In any event, defendant shall not travel outside of Massachusetts for these or any other purposes.

4. Defendant may communicate with his co-defendants in this case, Vincent Gioacchini and Francis White, provided that such communication occurs in the presence of counsel and is limited to the preparation of the defense of this case and/or defendant's state court case.

5. Pamela Harris-Daley shall execute an Agreement to Forfeit and any necessary related documents, in a form satisfactory to the Court, authorizing the court to forfeit the property located at 22 Montrose Avenue, Wakefield, Massachusetts if the Court determines that defendant has not appeared as required in this case, or has unlawfully presented a danger to any person or the community while released pending trial in this case.

6. Defendant shall not communicate, directly or indirectly, with any of the alleged victims in this case, each of whom is named on Exhibit B hereto.

7. Defendant shall also:

a. Refrain from possessing a firearm, destructive device, or other dangerous weapon, and none of the foregoing (other

than necessary kitchen knives) shall be kept by anyone at his residence.

b. Refrain from the excessive use of alcohol or the use of any narcotic drug unless prescribed by a physician.

c. Surrender any passport.

d. Obtain no passport.

e. Report to Pretrial Services any arrest or contact with law enforcement within 24 hours.

8. The defendant is hereby advised of the penalties and sanctions relating to the violation of any of the foregoing conditions which are described on Exhibit C hereto.

9. Defendant shall sign a document acknowledging that he is aware of the conditions of his release; promising to obey those conditions, to appear as directed, and to surrender to serve any sentence imposed; and confirming his awareness of the penalties and sanctions described on Exhibit C hereto.

/s/ MARK L. WOLF
UNITED STATES DISTRICT JUDGE

EXHIBIT B

Carmine T. D'Amelio, a/k/a Junior

Joseph Zampanti

Ronald Zampanti

Joseph Young

Michael Stoyko

Vincent Roberto

Chris Kotsiopoulos

Michael Dezotell

Richard Citrano

Robert Ciolfi, a/k/a Bezeek

Mark Petralia

Anthony Musto

Kevin Keegan

Dominic Santoro, Jr.

Howard Levenson

James Katz

Paul Ciccolo

Frederick Sarno

